

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)	Docket Number (Optional) CISCO-3294 (032590-136)
--	--

First named inventor: Aravind Sitaraman

Application No.: 09/734,952

Art Unit: 4939

Filed: December 11, 2000

Examiner: Patel, Ashokkumar B.

Title: Preventing HTTP Server Attacks

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of RCE (identify type of reply):

☐ has been filed previously on _____.

☒ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been paid previously on _____.

☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01/03/2007 CCHAUI 00000064 09734952 1500.00 DP
01 FC:1453

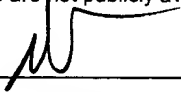
3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

 _____ Signature	December <u>22</u> , 2006 _____ Date
David B. Ritchie _____ Typed or printed name	31,562 _____ Registration Number, if applicable
Thelen Reid Brown Raysman & Steiner LLP _____ Address	408-292-5800 _____ Telephone Number
P. O. Box 640640, San Jose, CA 95164-0640 _____ Address	

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☒ Other : Information Disclosure Statement

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

December 22, 2006

Date



Signature

Karen A. Rogers

Typed or printed name of person signing certificate



PATENT
Atty. Docket No. CISCO-3294
(032590-136)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Aravind Sitaraman et al.
SERIAL NO.: 09/734,952 CONFIRMATION NO.: 4939
FILING DATE: December 11, 2000
TITLE: Preventing HTTP Server Attacks
EXAMINER: Ashokkumar B. Patel TELEPHONE: (571) 272-3972
FAX: (703) 872-9306
ART UNIT: 2154

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on the date printed below:

Date: 12/22/06

Name: Karen A. Rogers
Karen A. Rogers

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petition Under 37 CFR 1.137 to Revive Unintentionally Abandoned Application

Sir:

Applicant hereby petitions to revive the above-captioned unintentionally abandoned application. Applicant submits herewith (1) the required petition fee as set forth in § 1.17(m), (2) the required reply in the form of a Request for Continued Examination (RCE) filing, and (3) the following statement:

The entire delay in filing the required reply from the due date from the reply until the filing of a grantable petition pursuant to this paragraph was unintentional.

Background

On April 14, 2006, Applicant filed a Notice of Appeal and Pre-Appeal Brief Request for Review comprising two pages, which was received by the U.S. Patent and Trademark Office on April 17, 2006. A Notice of Panel Decision from Pre-Appeal Brief Review was mailed by the USPTO to Applicant on June 19, 2006, which stated that the request was more than five pages in length, followed by an Interview Summary mailed September 19, 2006, which suggested Applicants file a Petition. A Petition to Accept Pre-Appeal Brief Request for Review Under 37 C.F.R. § 1.181 was filed on September 29, 2006. In a voice mail message from Examiner John Follansbee on December 20, 2006, the Examiner indicated that the Petition had been denied and that the application had been abandoned for failure to timely file the Appeal Brief.

Accordingly, Applicant hereby petitions under 37 CFR 1.137 to revive the above-captioned application by the filing of a Request for Continued Examination, with unbroken continuity from the above-captioned application, so that patent claims can be pursued, as was originally intended.

Please charge any additional required fees or credit any overpayment not otherwise credited, to our Deposit Account No. 50-1698.

Respectfully submitted,
THELEN REID BROWN
RAYSMAN & STEINER LLP



David B. Ritchie
Reg. No.: 31,562

Dated: 12-22-06

Thelen Reid Brown Raysman & Steiner LLP
P.O. Box 640640
San Jose, CA 95164-0640
Tel. (408) 292-5800
Fax. (408) 287-8040